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U.S. DISTRICT COURT  
FILED AT WHEELING, WV

JAN 21 1997

NORTHERN DISTRICT OF  
OFFICE OF THE CLERK

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF WEST VIRGINIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

Criminal Action No. 1:96CR43-01

FLOYD RAYMOND LOOKER,

Defendant.

ORDER OF CLARIFICATION

On December 10, 1996, I entered an order instructing the Clerk to receive but not file documents signed or tendered for filing by Paul Andrew Mitchell until he complied with all the terms of conditions of L.R. Gen. P. 2.02 Visiting Attorneys.

Since that time, the Clerk has received pleadings from Mr. Mitchell that are signed by Mr. Mitchell individually, that are signed by Mr. Mitchell and by Defendant Looker, and that are signed by Mr. Mitchell and say that Defendant Looker's signature is on file. The Clerk seeks guidance as to which pleadings should be received and which should be filed.

On January 13, 1997, Defendant Looker advised me that he intends to proceed pro se.

Accordingly, the Clerk shall file as of the entry date of this order any pleading that is signed by Mr. Looker. The Clerk shall file as of the entry date of this order any pleading that is signed by Mr. Looker and Mr. Mitchell, despite the fact that Mr. Mitchell has not complied with L.R. Gen. P. 2.02 Visiting Attorneys. The Clerk shall receive but not file any pleading signed only by Mr. Mitchell or signed by Mr. Mitchell and containing the notation that Mr. Looker's signature is on file. The Clerk shall follow this

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order for all pleadings received, whether prior to or subsequent to, the date this order is entered.

Defendant Looker is reminded that, although he is proceeding pro se, he is required to follow the Federal Rules of Criminal Procedure and the Local Court Rules for the Northern District of West Virginia when filing documents. These rules include, but are not limited to, the following:

1. Defendant Looker is required to submit an original and two copies of any pleadings to the Clerk of the Court. An original and two copies are required for each case in which a document is filed. See LR Gen P 7.03(a).

2. Defendant Looker is required to serve a copy of any correspondence or pleadings on all counsel of record. This includes counsel for the government and any co-defendants. See Fed. R. Crim. P. 49(d) and Fed. R. Civ. P. 5(a). This Court cannot and will not effect service on Defendant's behalf.

3. Defendant Looker must attach a "certificate of service" to all documents filed. The certificate of service must state who has been served, the method of service, and when service was effected. See Fed. R. Crim. P. 49(d) and Fed. R. Civ. P. 5(d).

4. Defendant Looker is required to file an original and two copies of any pleading in each of these four (4) separate cases if he wants to file the same pleading in all four (4) cases.

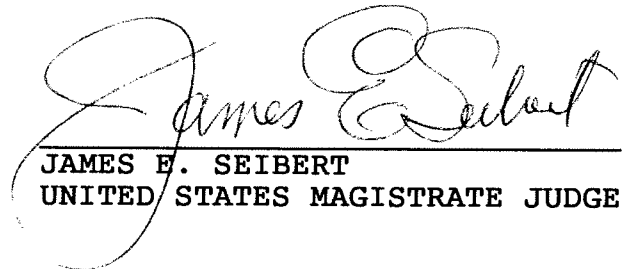
Failure to submit an original and two copies of documents to be filed and failure to attach a certificate of service will result

in the document being returned to Defendant Looker for re-filing in accordance with the rules.

The Clerk shall mail a copy of the Local Rules to Defendant Looker.

The Clerk of the Court is directed to mail a copy of this order to Defendant and counsel of record.

ENTERED: January 17, 1997

  
JAMES E. SEIBERT  
UNITED STATES MAGISTRATE JUDGE